

REPORT - PLANNING COMMISSION MEETING
July 22 2004

Project Name and Number: Linda Vista Homes (PLN2004-00233)

Applicant: Adam Tenant, Summerhill Homes

Proposal: To consider a Rezoning from R-1-8 (Single Family Residential – 8,000 square foot minimum lot size) to R-1-6 (Single Family Residential – 6,000 square foot minimum lot size).

Recommended Action: Recommend to City Council

Location: 2650 Bruce Drive, Mission San Jose Planning Area

Assessor Parcel Number(s): 525-0351-051-00

Area: Approximately 6.1 acres

Owner: Fremont Unified School District

Agent of Applicant: Adam Tenant, Summerhill Homes

Consultant(s): Richard Frisbie, The Frisbie Planning Co.
Ray Hashimoto, HMM Engineering

Environmental Review: A Mitigated Negative Declaration has been prepared and circulated for this project.

Existing General Plan: Low Density Residential – 4 to 6 DU/AC

Existing Zoning: R-1-8 (Single-Family Residential)

Existing Land Use: Former Linda Vista Elementary School Site.

Public Hearing Notice: Public hearing notification is applicable. A total of 94 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Bruce Drive, Middlefield Avenue, Washington Boulevard, Ashbrook Circle, Benbow Drive, Meredith Drive, Paich Crescent, and Alvaniece Crescent. The notices to owners and occupants were mailed on July 9, 2004. A Public Hearing Notice was delivered to The Argus on July 2, 2004 to be published by July 8, 2004.

Executive Summary: The project consists of a rezoning to change the zoning designation of a 6.1 acre site, located at 2650 Bruce Drive (former Linda Vista Elementary School Site) from an R-1-8 (Single Family Residential – 8,000 square foot minimum lot size) to an R-1-6 (Single Family Residential – 6,000 square foot minimum lot size) District. This rezoning is consistent with the current General Plan Designation for the subject lands. It is anticipated that the site will be developed with approximately 32 single-family residential dwellings, subject to further Planning Commission approval of a tentative tract map. The tentative tract map will come back to the Planning Commission for review at a subsequently noticed public meeting.

Background and Previous Actions: The City's records indicate that the former Linda Vista Elementary School was constructed in 1957 and used as a school until its closure in June 2002. A vacant school building, a playground, sports field, basketball court and parking lot currently occupy the site. The Fremont Unified School District is in the process of selling the site to Summerhill Homes pending the approval of various planning applications. The majority of the residential dwellings within the immediate neighborhood were constructed in the late 1950's and early 1960's. The conversion of the

school site into a residential subdivision is the first significant land use change in the Bruce/Middlefield area since the early 1960's.

Project Description: The project consists of a rezoning to change the zoning designation of a 6.1 acre site from R-1-8 (Single Family Residential – 8,000 square foot minimum lot size) to R-1-6 (Single Family Residential – 6,000 square foot minimum lot size). The proposed rezoning to R-1-6 is consistent with the site's corresponding General Plan designation of 4-6 units per acre. The applicant has provided a very preliminary lotting plan, which identifies a total of 32 lots, yielding a density of approximately 5.3 units per acre. Properties located in the residential area off of Bruce Drive, as well as neighboring streets, are currently zoned R-1-8, and also have a General Plan designation of Low Density Residential, 4 to 6 dwelling units per acre. Therefore, the proposed rezoning of the subject lands to a R-1-6 district is consistent with and in keeping with the adjacent residential land uses and densities.

Project Analysis:

General Plan Conformance: The existing General Plan land use designation for the project site is Low Density Residential, 4 to 6 units per acre. The following General Plan Goals and Policies are applicable to the proposed project:

Goal H 1 Conservation and enhancement of existing residential neighborhoods
Although situated on a unique lot, the proposed development is both within allowable density range and consistent with the surrounding neighborhood.

Policy LU 1.2: Residential density range for the site is 4 to 6 units per acre (Table 3-4).
The rezoning of the subject lands to a R-1-6 district will allow for the development of a subdivision consistent with the prescribed density range.

Policy LU 1.18 Single-family detached homes shall be proportional to their lots.
The development standards of the R-1-6 zone provide a mechanism to ensure that the single-family homes developed are proportional to the lot size.

Housing Element Program 10 Low Density Residential Lands: Rezoning and Land Use Changes: Allow residential development at all points within the density range (e.g., 5-7 units per acre) and encourage at least the midpoint of the permitted density range (e.g., 6 units per acre).
By allowing the lands to be developed with the R-1-6 district standards, a density of approximately 5.3 units per acre will be achieved which meets the above-note policy (mid-point of 4-6 units per acre).

Zoning Regulations: The proposed project consists of a rezoning to an R-1-6 Single-family residential district where any development on this site would be required to comply with all applicable building and zoning regulations. The following table represents lot and siting requirements for the R-1-6 district:

R-1-6 Zoning Lot & Siting Requirements for Project Site at 2650 Bruce Drive	
Maximum Building Height	30 feet
Minimum Lot Size	6,000 square feet
Minimum Lot Width	55 feet (corner 65 feet)
Street Frontage	35 feet
Front Yard Depth	20 feet
Interior Side – 1 Story and 2 Story	5 feet (total 12) and 6 feet (total 15)
Rear Yard Setback	25 feet
Minimum Side Street Corner	10 feet

The size and configuration of the site offers the opportunity for the development of approximately 32 single-family dwellings fronting onto a public street consistent with the above-noted requirements.

Environmental Analysis: An Initial Study and Draft Mitigated Negative Declaration have been prepared and circulated for this project. The environmental analysis identified concerns regarding potential impacts to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality and Noise. The Draft Mitigated Negative Declaration includes mitigation measures, which, if implemented, would reduce the identified impacts to non-significant levels. These mitigation measures have been included in a Mitigation Monitoring Program (MMP) that is recommended to be adopted and will apply to any project on the site. A more detailed description of the potential impacts is provided within the Initial Study for the project, which is included as an enclosure.

A finding is proposed that this project would not have a significant effect on the environment based upon the implementation of the identified mitigation measures. Accordingly, a Draft Mitigated Negative Declaration and MMP have been prepared for consideration by the Planning Commission.

The Initial Study conducted for the project has evaluated the potential for this project to cause an adverse effect -- either individually or cumulatively -- on wildlife resources. There is no evidence the proposed project would have any potential for adverse effect on wildlife resources. Based on this finding, a Certificate of Fee Exemption will be submitted with the Notice of Determination after project approval, as required by Public Resources Code section 21089 (see attachment to draft Negative Declaration). The Certificate of Fee Exemption allows the project to be exempted from the review fee and environmental review by the California Department of Fish and Game.

Response from Agencies and Organizations:

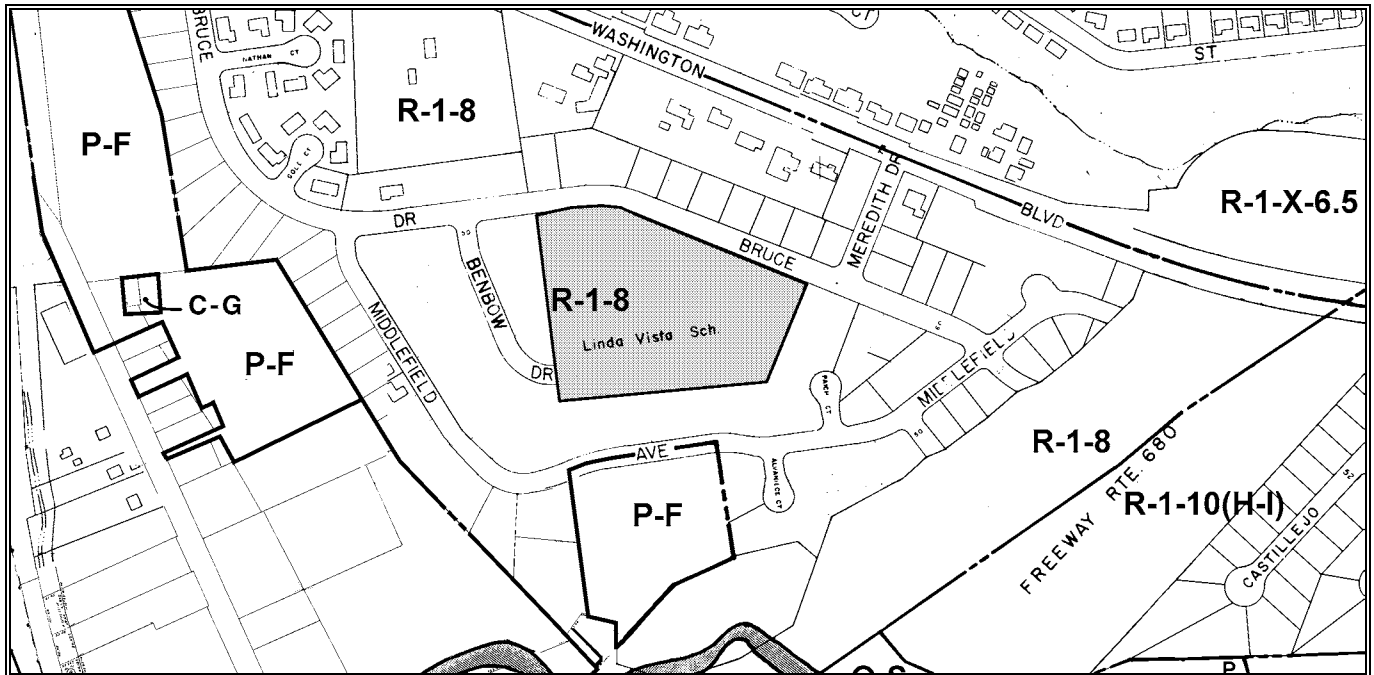
Enclosures: Exhibit "A" (Rezoning Map)
Initial Study and Draft Mitigated Negative Declaration and Mitigation Monitoring Plan

Exhibits: Exhibit "A" Rezoning Map

Recommended Actions:

1. Hold public hearing.
2. Recommend the City Council find the initial study conducted for PLN2004-00233 has evaluated the potential for this project to cause an adverse effect -- either individually or cumulatively -- on wildlife resources, and that there is no evidence the proposed project would have any potential for adverse effect on wildlife resources.
3. Recommend the City Council approve the draft Mitigated Negative Declaration for PLN2004-00233, finding that it reflects the independent judgment of the City of Fremont, and finding there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.
4. Find PLN2004-00233 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use and Housing Chapters as enumerated within the staff report.
5. Recommend PLN2004-00233 to the City Council in conformance with Exhibit "A" (Rezoning Exhibit)

Existing Zoning
Shaded Area represents the Project Site



Existing General Plan

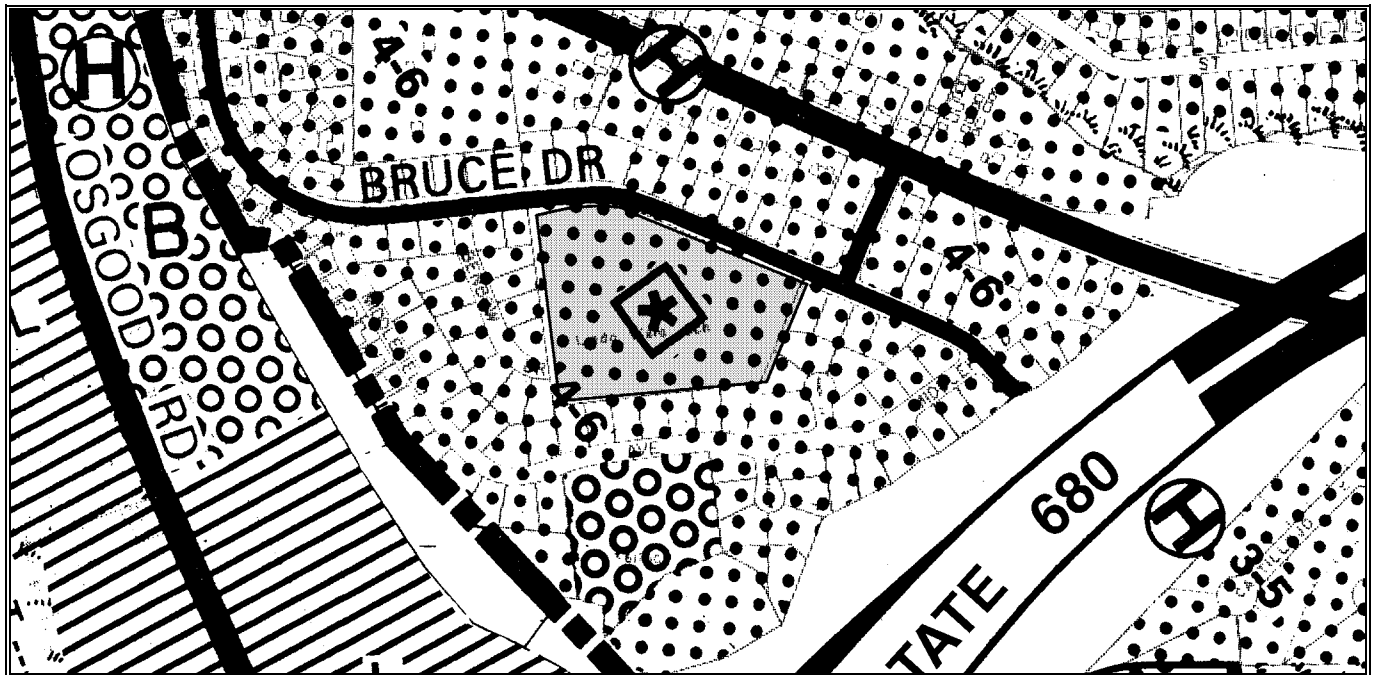


EXHIBIT "A"

Attached to and made a part of

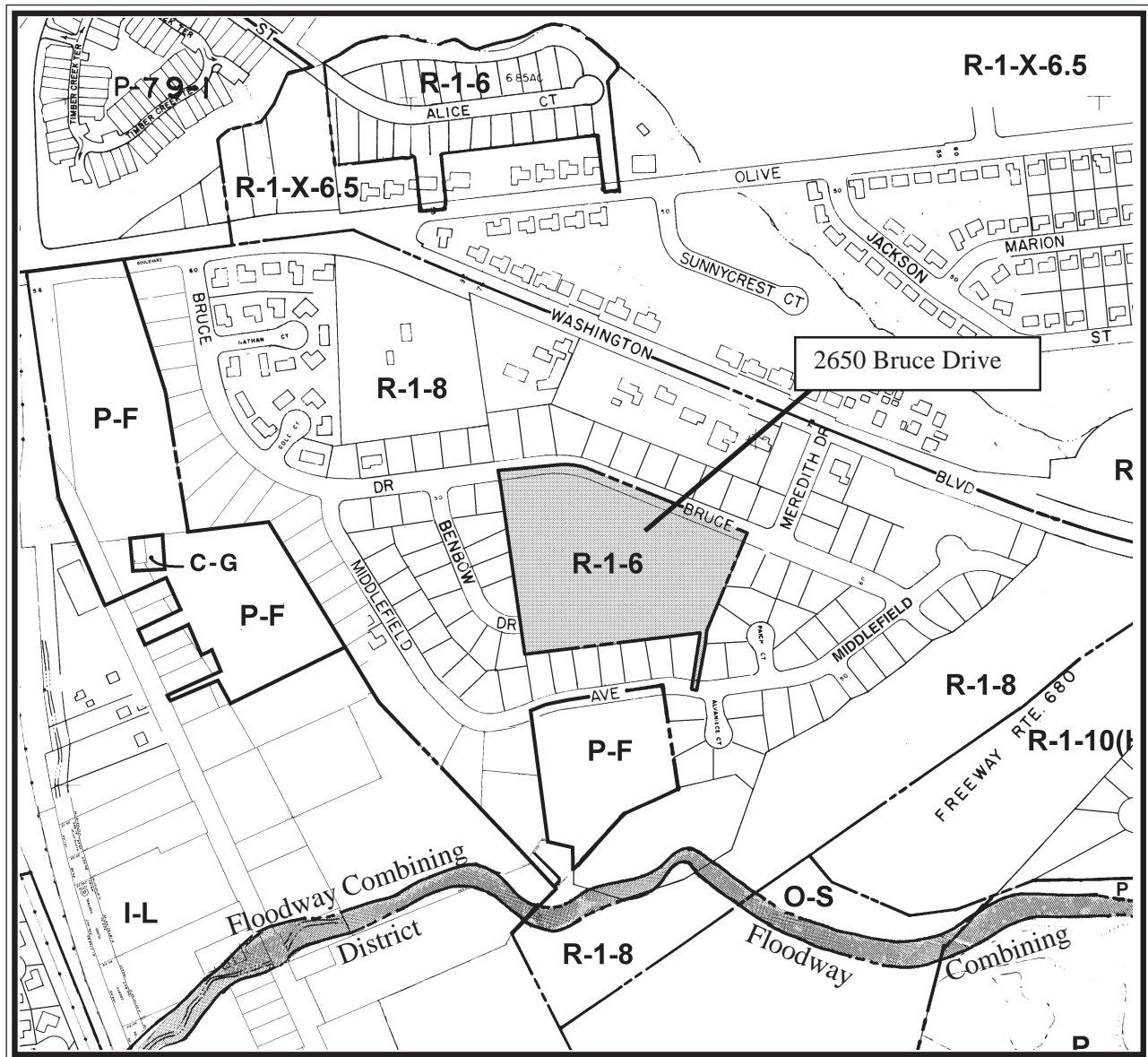
Ordinance No. _____

adopted by the City Council of the City of Fremont, California

On the _____ **day of** _____, **20 04** .

ZONING MAP (SECTION)

AFFECTS ZONING MAP(S) FOR THE MISSION SAN JOSE PLANNING AREA



From: R-1-8

To: R-1-6

Project Name: Linda Vista - 2650 Bruce Drive

Project Number: PLN2004-00233 (Rezoning)

[pc on 07-22-2004] 78-376